

Docket No.: 057810-0085



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
: :
Masayuki HATA, et al. : Confirmation Number: 1109
: :
Application No.: 10/766,031 : Group Art Unit: 2815
: Allowed: January 15, 2008
Filed: January 29, 2004 : Examiner: LANDAU, MATTHEW C
: :
For: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

REQUEST FOR ACKNOWLEDGEMENT OF THE CITED ART

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are in receipt of the Notice of Allowance dated January 15, 2008.

In reviewing the file, it is noted that we have not received acknowledgement of the Information Disclosure Statement and cited art filed March 17, 2008. Enclosed are copies of the Information Disclosure Statement, PTO-1449 and stamped return postcard acknowledgement.

Applicant hereby respectfully requests that:

- (1) the appropriately acknowledged PTO-1449 be furnished to Applicant; and

(2) the record be clarified to confirm that the cited art has been considered and made of record.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in cursive script, reading "Bernard P. Codd".

Bernard P. Codd

Registration No. 46,429

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BPC:kh
Facsimile: 202.756.8087
Date: March 27, 2008

**Please recognize our Customer No. 20277
as our correspondence address.**

Applicant: Masayuki HATA, et al. Docket No. 057810-0085 Serial No. 101766,031

Title: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

Date Sent: 3/17/2008 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ 1st Class Mail ☐ Express Mail No.

☒ Transmittal Letter

☐ New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ RCE ☐ Prov

☐ Other: _____

_____ pages of Specification
_____ pages of Claims
_____ pages of Abstract
_____ pages of Formal/Informal Drawings

☐ Small Entity ☒ Large Entity
☐ Declaration/Power of Attorney
☐ Recordation of Assignment/Security Agreement
☒ Information Disclosure Statement

1 Form PTO 1449

1 References attached

☐ Preliminary Amendment
☐ Response to Missing Parts Notice
☐ Resp. to Notice to Correct App. Papers
☐ Certified Copy of Priority Doc.
☐ Claim for Convention Priority
☐ Response/Amendment to Office Action of
☐ Request for _____ month Extension of Time

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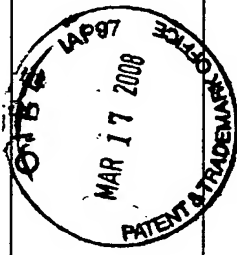
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CMS Descrip.: 10-180

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.





Docket No.: 057810-008

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Masayuki HATA, et al.	:	Confirmation Number: 1109
	:	
Application No.: 10/766,031	:	Group Art Unit: 2815
	:	
Filed: January 29, 2004	:	Examiner: LANDAU, MATTHEW C
	:	
For: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME	:	

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

**REQUEST TO CONSIDER REFERENCES AFTER CLOSE OF PROSECUTION AND
BEFORE PAYMENT OF ISSUE FEE**

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear

among the "References Cited" on any patent to issue therefrom. Please charge the processing fee under 1.17(p) of \$180.00 to Deposit Account .

CERTIFICATION PARAGRAPH

The undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement as described in 37 CFR 1.97(e)(1).

The reference was cited in a Japanese Office Action and its relevance discussed therein. A copy of the Japanese Office Action, together with an English language version thereof, is attached for the Examiner's information. Please note that the reference, JP 11-233893, cited in the Japanese Office Action was previously disclosed in an Information Disclosure Statement on April 19, 2007.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Bernard L. Becker (Reg. No. 46,429)
for

Stephen A. Becker
Registration No. 26,527

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 SAB:aej
Facsimile: 202.756.8087
Date: March 17, 2008

Please recognize our Customer No. 20277
as our correspondence address.